

RESOLUTION NO. CZAB8-25-04

WHEREAS, **ANTONIO SANCHEZ** applied for the following:

- (1) BU-2 to BU-3
- (2) Applicant is requesting to permit used auto/truck sales with a lot area of 0.77 acre (1 acre required).
- (3) Applicant is requesting to permit ancillary auto/truck repairs to occupy 60% of the gross building area (15% permitted).
- (4) Applicant is requesting to permit a landscape greenbelt varying from 5' to 7'5" (15' required).
- (5) Applicant is requesting to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east.
- (6) Applicant is requesting to permit 0 shrubs along the right-of-way (169 perimeter shrubs required).
- (7) Applicant is requesting to permit a landscape open space of 18% (20% required).
- (8) Applicant is requesting to permit an auto repair facility spaced 29' from a residential district (500' required).

Upon a demonstration that the applicable standards have been satisfied, approval of requests #2 - #8 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Truck Sales of Miami," as prepared by Offerle-Lerner, Architects, dated 3/24/04 and consisting of 4 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Lots 4 – 9, ELIZABETH PARK AMENDED, Plat book 4, Page 195.

LOCATION: Lying on the east side of N.W. 27 Avenue & south of N.W. 66 Street, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 8 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the request to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to BU-3 (Item #1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requests to permit used auto/truck sales with a lot area of 0.77 acre (Item #2), to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), to permit a landscape greenbelt varying from 5' to 7'5" (Item #4), to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east (Item #5), to permit 0 shrubs along the right-of-way (Item #6), to permit a landscape open space of 18% (Item #7), and to permit an auto repair facility spaced 29' from a residential district (Item #8) would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and

WHEREAS, a motion to deny Items #1-8 without prejudice was offered by Billy Hester, seconded by Bertha M. Carswell, and upon a poll of the members present the vote was as follows:

Bertha M. Carswell	aye	Billy Hester	aye
Anthony Dawkins	aye	Arthemion Johnson	aye
David Daniel Gongora	absent		
		Fredricke Alan Morley	absent

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 8, that the requested district boundary change to BU-3 be and the same is hereby denied without prejudice.

BE IT FURTHER RESOLVED that the requests to permit used auto/truck sales with a lot area of 0.77 acre (Item #2), to permit ancillary auto/truck repairs to occupy 60% of the gross building area (Item #3), to permit a landscape greenbelt varying from 5' to 7'5"

(Item #4), to waive the 5' high decorative masonry wall requirements where a business lot abuts a residentially zoned property to the east (Item #5), to permit 0 shrubs along the right-of-way (Item #6), to permit a landscape open space of 18% (Item #7), and to permit an auto repair facility spaced 29' from a residential district (Item #8) be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 16th day of November 2004.

Hearing No. 04-11-CZ8-1
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STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 8, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB8-25-04 adopted by said Community Zoning Appeals Board at its meeting held on the 16th day of November, 2004.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 30th day of November, 2004.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL

